

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR17-0203-JCC

10 Plaintiff,

ORDER

11 v.

12 DARRYL KILGORE and ELIZABETH  
13 EVANS,

14 Defendants.

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16 This matter comes before the Court on Defendant Darryl Kilgore's unopposed motion to  
17 continue the pretrial motions filing date and trial date (Dkt. No. 178). Having considered the  
18 motion, Defendants' speedy trial waivers (Dkt. Nos. 179, 181), and the relevant record, the Court  
19 hereby GRANTS the motion and FINDS as follows:

20 (a) In light of the circumstances presented in the defendants' motion, failure to grant  
21 a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18  
22 U.S.C. § 3161(h)(7)(B)(i);

23 (b) taking into account the exercise of due diligence, a failure to grant a continuance  
24 in this case would deny defense counsel the reasonable time necessary for effective preparation  
25 due to counsel's need for more time to review and gather evidence, prepare pretrial motions, and  
26 consider possible defenses for this complex case, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

1 (c) the additional time requested is a reasonable period of delay, as Defendant has  
2 requested more time for recently appointed counsel to prepare for trial, to review substantial  
3 discovery, and to consider possible defenses;

4 (d) the ends of justice will best be served by a continuance, and the ends of justice  
5 outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18  
6 U.S.C. § 3161(h)(7)(A);

7 (e) the additional time requested between the current trial date of August 13, 2018 and the  
8 new trial date is necessary to provide defense counsel the reasonable time necessary to prepare  
9 for trial, considering the scope of the evidence and complexity of the case; and

10 (f) the period of delay from the date of this order to the new trial date is excludable time  
11 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

12 The Court therefore ORDERS that the trial date in this matter shall be continued to  
13 February 11, 2019, and that pretrial motions shall be filed no later than October 11, 2018.

14 DATED this 18th day of July 2018.

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18 John C. Coughenour  
19 UNITED STATES DISTRICT JUDGE  
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